

REMARKS

Claims 1-8, 10-12 and 14-39 are presented for examination. Claims 1, 23, 33, 37 and 39 are independent and hereby amended. No new matter has been added. Claims 9 and 13 have been previously canceled without prejudice and disclaimer to the claimed subject matter. Reconsideration and further examination are respectfully requested.

In the Office Action, the Drawings were objected to for being too dark and unreadable. Applicant has supplied replacement sheets, thereby rendering the objection to the Drawings moot. Reconsideration and withdrawal of the Drawing objections are respectfully requested.

Claims 1-39 rejected under 35 U.S.C. § 112, second paragraph. Applicant submits that the terms recited in the claims derive their meaning from the Specification. Applicant submits that the Specification provides support for the presently recited claim language, at least in paragraphs 0028-00124, and specifically in paragraphs 0016, 0038-0062 and 00126-0149. Reconsideration and withdrawal of the claim rejections is respectfully requested.

Claims 1-4, 6, 8, 10-12, 14-36 and 39 were rejected under 35 U.S.C. § 101 as directed toward non-statutory subject matter. Without conceding the correctness of these rejections, and solely to advance prosecution of the present claims, the independent claims have been amended, thereby obviating the claim rejections. Support for the claim amendments can be found in the Specification, at least in Figures 4 and 5, and paragraphs 0096-0150. Applicant respectfully requests reconsideration and withdrawal of the 35 U.S.C. § 101 rejections.

Claims 1-4, 6-8, 10-12, 14-16, 18-27 and 29-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,985,882 (Del Sesto) in view of U.S. Publication No. 2003/0050827 (Hennessey); Claims 5, 17 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Del Sesto in view of Hennessey, and in further view of U.S. Patent No. 6,772,129 (Alvarez). Reconsideration and withdrawal of the rejections are respectfully requested for at least the following reasons.

Claim 1 recites a method comprising: specifying a target Gross Rating Point (GRP) for one or more lines of an Internet advertising campaign; specifying a total booked amount for the lines; apportioning, via a computer device, the target GRP among

one or more time periods of the Internet advertising campaign; apportioning, via the computer device, the total booked amount among the time periods, wherein recognized revenue being based on the apportioned target GRP and the apportioned total booked amount; and visibly displaying the recognized revenue on a user interface on a display of the computer device.

By way of non-limiting example, in an embodiment, subject matter is directed to a system for conducting an online advertising campaign. The system specifies a target Gross Rating Point (GRP) for one or more lines of an Internet advertising campaign. The system also specifies a total booked amount for the lines. The target GRP is apportioned among one or more time periods of the Internet advertising campaign. The total booked amount is apportioned among the time periods, wherein recognized revenue is based on the apportioned target GRP and the apportioned total booked amount. The system then facilitates visible display of the recognized revenue on a user interface on a display of a computer device.

On pages 7-8 and 14-16 of the Office Action, the Examiner concedes that Del Sesto does not expressly teach the claimed subject matter of claim 1. The Examiner states that Del Sesto does not specifically disclose the subject matter of claim 1, which recites, *inter alia*, apportioning, via a computer device, the target GRP among one or more time periods of the Internet advertising campaign, and apportioning, via the computer device, the total booked amount among the time periods, wherein recognized revenue being based on the apportioned target GRP and the apportioned total booked amount. Applicant respectfully traverses the contention that Hennessey cures the deficiencies of Del Sesto.

Hennessey's method for determining demand and pricing of advertising time in the media industry differs from the claimed subject matter of claim 1. Paragraphs 0067-0097 of Hennessey teach a framework and guide for a seller to price advertising for available advertising space (avails). Available advertising space for pending reports, requests by demand, requests by points or requests by dollars are provided via data in a grid view for pending week and pending daypart graphs. The data is displayed for each advertiser that requests available advertising space. Hennessey teaches pending avails reports that represent data for requested advertising space. Furthermore, Hennessey

teaches calculating a Market CPP (cost per rating point) Tolerance report utilizing monitor data, market audited figures and Nielsen ratings to provide actual and projected views of market CPP tolerance levels. Hennessey's Minimum and maximum CPPs are based on demand and actual rating points. Applicant submits that Hennessey's method for determined demand and pricing of advertisements is in stark contrast to the claimed subject matter of claim 1. Claim 1 recites, *inter alia*, apportioning the target GRP among one or more time periods of the Internet advertising campaign, and apportioning the total booked amount among the time periods, wherein recognized revenue being based on the apportioned target GRP and the apportioned total booked amount. By way of a highlighted difference with the claimed subject matter, Hennessey merely teaches pricing available advertisement space, whereas the presently claimed subject matter recites, apportioning a target GRP among one or more time periods of the Internet advertising campaign, and apportioning a total booked amount among the time periods, wherein recognized revenue is based on the apportioned target GRP and the apportioned total booked amount, as claimed.

On page 15 of the Office Action, the Examiner concedes that Hennessey was only relied upon to "disclose the 'apportionment'" limitations of the claims because "Del Sesto discloses the target GRP and total booked amount limitations. Yet on pages 7-8 of the Office Action, the Examiner concedes that Del Sesto fails to teach said claimed subject matter. Applicant respectfully submits that Del Sesto and Hennessey, either alone or in combination, fail to teach suggest or disclose apportioning the target GRP among one or more time periods of the Internet advertising campaign, and apportioning the total booked amount among the time periods, wherein recognized revenue being based on the apportioned target GRP and the apportioned total booked amount, as recited in claim 1. Applicant submits that the claimed subject matter does not merely recite a GRP and a total booked amount. Applicant submits that the claimed subject matter for conducting an online advertising campaign recites, a recognized revenue based upon an apportioned target GRP and an apportioned total booked amount, as claimed.

In view of the Examiner's concession on pages 7-8 of the Office Action, Applicant submits that Del Sesto does not teach, suggest or disclose the claimed subject matter of claim 1. Del Sesto teaches, as referenced from the cited portion of Del Sesto:

Figure 4J, from page 15 of the Office Action, displaying for viewing and editing the buyer's market budgeted status, which the buyer may select as a function from the display. The buyer enters desired demographics codes, gross rating point (GRP), and maximum cost per point (CPP), to arrive at a total budget to date with total amounts spent for each demographic. By way of a highlighted difference with the claimed subject matter, Del Sesto teaches calculating a total budget containing total amounts spent for a demographic, whereas, the presently claimed subject matter recites apportioning the target GRP among one or more time periods of an Internet advertising campaign, and apportioning the total booked amount among the time periods, wherein recognized revenue is based upon the target GRP and total booked amount for an advertising campaign, as recited in claim 1

Therefore, Applicant submits that Del Sesto and Hennessey, taken alone or in combination, do not teach, disclose nor suggest all of the claimed subject matter of claim 1. Thus, because Del Sesto and Hennessey do not teach or suggest the above claim elements, it is respectfully submitted that claim 1 is patentable over Del Sesto and Hennessey, and Applicant respectfully requests that the Examiner withdraw the rejection. Moreover, it is respectfully submitted that even if the combination of references yielded all of the claim elements, which it does not, the alleged reasoning for the combination of Del Sesto and Hennessey is insufficiently presented. Nor could Del Sesto and Hennessey, alone or in combination with any reference of record render Claim 1 obvious, as no such combination would yield all of the elements in the presently recited claims.

For at least the foregoing reasons, Claim 1 and the claims that depend from claim 1 are believed to be in condition for allowance. In addition, for at least the same reasons stated above with respect to claim 1, independent Claims 23, 33, 37 and 39 are also believed to be in condition for allowance, and accordingly, the claims that depend from Claims 23, 33, 37 and 39 are also believed to be in condition for allowance.

Claims 5, 17 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Del Sesto in view of Hennessey, and in further view of Alvarez. It is respectfully submitted that the features described above with respect to Claims 1, 23, 33, 37 and 39, from which Claims 5, 17 and 28 depend, respectively, are applicable to these claims as well, and that Alvarez does not remedy these deficiencies. Therefore, Applicant submits

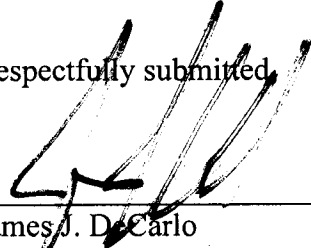
that a combination of Del Sesto, Hennessey and Alvarez would not yield all of the elements in the presently cited claims, and therefore the combination cannot form the basis of a proper obviousness rejection. Moreover, it is respectfully submitted that even if the combination of references yielded all of the claim elements, which it does not, the alleged reasoning for the combination of Del Sesto, Hennessey and Alvarez is insufficiently presented.

Having responded to all objections and rejections set forth in the outstanding Office Action, it is submitted that the currently pending claims are in condition for allowance and Notice to that effect is respectfully solicited. Additional characteristics or arguments may exist that distinguish the claims over the prior art cited by the Examiner, and Applicant respectfully preserves their right to present these in the future, should they be necessary. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, he is respectfully requested to contact Applicant's undersigned representative.

The Applicant's attorney may be reached by telephone at 212-801-6729. All correspondence should continue to be directed to the address given below, which is the address associated with Customer Number 76058.

The Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 50-1561. Please ensure that the Attorney Docket Number is referenced when charging any payments or credits for this case.

Respectfully submitted,



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